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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

CLERK OF COURT
U.S. DISTRICT COURT
SAN JUAN, P.R.

UNITED STATES OF AMERICA,

Plaintiff,

v.

MUNICIPIO DE VEGA ALTA,

Defendant.

Civil Action No. 06-1302 (PG)

JURY DEMAND

COMPLAINT

Plaintiff, the United States of America, alleges:

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* ("Title VII").
2. The Court has jurisdiction of this action under 42 U.S.C. § 2000e-5(f) and 28 U.S.C. § 1345.
3. Defendant Municipio de Vega Alta ("Municipality of Vega Alta") is a governmental body created pursuant to the laws of the Commonwealth of Puerto Rico.
4. The Municipality of Vega Alta is a "person" within the meaning of 42 U.S.C. § 2000e(a) and an "employer" within the meaning of 42 U.S.C. § 2000e(b).
5. Defendant the Municipality of Vega Alta, by and through its agency Policía Municipal de Vega Alta ("Municipal Police"), has discriminated against female officers Laura Molina Rodríguez ("Molina Rodríguez"), Madeleine García González ("García González"), and Iris Bidot Figueroa ("Bidot Figueroa"), and similarly situated female officers on the basis of their sex in violation of Section 703(a) of Title VII of the Civil Rights Act of 1964, as amended,

42 U.S.C. § 2000e-2(a), among other ways, by:

- (a) excluding them from supervisory duties, regular shift work, driving patrol cars and other motorized vehicles, and conducting investigations commensurate with their previous work experience;
- (b) assigning them to “plantón” or clerical duties; and
- (c) failing or refusing to take appropriate action to remedy the effects of the discriminatory treatment.

6. Defendant the Municipality of Vega Alta, by and through its agency the Municipal Police, has retaliated against officer Rafael Miranda Vázquez (“Miranda Vázquez”) in violation of Section 704(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.

§ 2000e-3(a), because he participated in the Equal Employment Opportunity Commission (“EEOC”) investigation of charges filed by officers Molina Rodríguez, García González, and Bidot Figueroa, among other ways, by:

- (a) excluding him from supervisory duties in the Maritime-Tourist Area Unit of the Municipal Police;
 - (b) transferring him out of the Maritime-Tourist Area Unit;
 - (c) denying him the opportunity to participate in training sessions relevant and related to the work performed by officers in the Maritime-Tourist Area Unit;
 - (d) threatening him with suspension or termination;
 - (e) denying him a letter of reference for employment with the Municipality of Dorado;
- and

(f) failing or refusing to take appropriate action to remedy the effects of the retaliatory treatment.

7. The EEOC received timely charges of discrimination filed by officers Molina Rodríguez (Charge No. 162-2003-00307), García González (Charge No. 162-2003-00282), and Bidot Figueroa (Charge No. 162-2003-00297), in which these Charging Parties alleged that the Municipal Police discriminated against them in employment on the basis of their sex.

8. The EEOC received a timely charge of discrimination filed by officer Miranda Vázquez (No. 162-2004-00147), in which he alleged that the Municipal Police retaliated against him because he had participated in the EEOC's investigation of the charges of sex discrimination filed by officers Molina Rodríguez, García González, and Bidot Figueroa.

9. In accordance with § 706 of Title VII, 42 U.S.C. § 2000e-5, the EEOC investigated the charges of sex discrimination filed by officers Molina Rodríguez, García González, and Bidot Figueroa, and the charge of retaliation filed by officer Miranda Vázquez, and found reasonable cause to believe that violations of Title VII had occurred. The EEOC attempted unsuccessfully to achieve a voluntary resolution of the charges through conciliation, and subsequently referred the charges to the United States Department of Justice.

14. All conditions precedent to filing suit have been performed or have occurred.

WHEREFORE, the United States prays that the Court grant the following relief:

- (a) Enjoin the Defendant from failing or refusing to:
 - (i) provide remedial relief sufficient to make whole Charging Parties Molina Rodríguez, García González, and Bidot Figueroa, and similarly situated female officers, and Charging Party Miranda Vázquez for the losses they

have suffered as a result of the discrimination against them as alleged in this Complaint; and

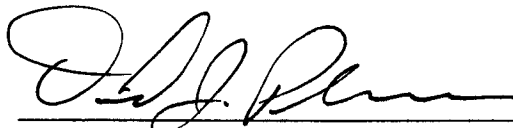
- (ii) take other appropriate nondiscriminatory measures to overcome the effects of the discrimination.
- (b) Award compensatory damages to Charging Parties Molina Rodríguez, García González, Bidot Figueroa and Miranda Vázquez for mental and/or physical injuries caused by the Defendant's discriminatory conduct pursuant to and within the statutory limitations of § 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a; and
- (c) Award such additional relief as justice may require, together with Plaintiff's costs and disbursements in this action.

Jury Demand

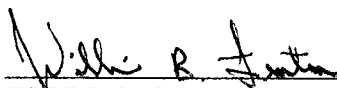
The United States hereby demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure.

WAN J. KIM
Assistant Attorney General
Civil Rights Division

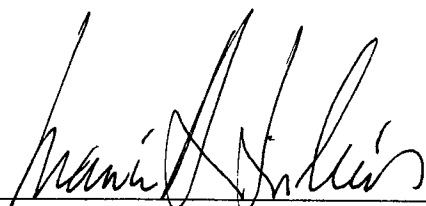
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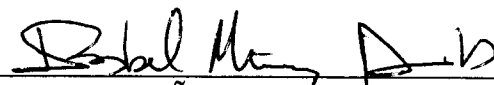
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